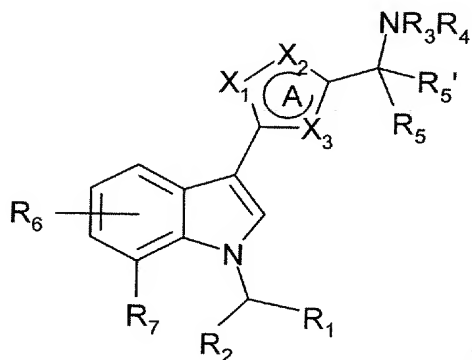


Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An (indol-3-yl)-heterocycle ~~derivative~~ having the general Formula I



Formula I

wherein

A represents a 5-membered aromatic heterocyclic ring, wherein X₁, X₂ and X₃ are independently selected from N, O, S and CR;

R is H or (C₁₋₄)alkyl; or

R, when present in X₂ or X₃, may form together with R₃ a 5-8 membered ring;

R₁ is a 5-8 membered saturated carbocyclic ring, optionally containing a heteroatom selected from O and S;

R₂ is H, CH₃ or CH₂-CH₃; or

~~R₂ is joined together with R₇ to form a 6-membered ring, optionally containing a heteroatom selected from O and S, and which heteroatom is bonded to the 7-position of the indole ring;~~

R₃ and R₄ are independently H, (C₁₋₆)alkyl or (C₃₋₇)cycloalkyl, the alkyl groups being optionally substituted with OH, (C₁₋₄)alkyloxy, (C₁₋₄)alkylthio, (C₁₋₄)alkylsulfonyl, CN or halogen; or

R₃ together with R₄ and the N to which they are bonded form a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy- (C₁₋₄)alkyl, or halogen; or

R₃ together with R₅ forms a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy- (C₁₋₄)alkyl, or halogen; or

~~R₃ together with R, when present in X₂ or X₃, forms a 5-8 membered ring;~~

R₅ is H or (C₁₋₄)alkyl; or

R₅ together with R₃ forms a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy- (C₁₋₄)alkyl, or halogen;

R₅' is H or (C₁₋₄)alkyl;

R₆ represents 1-3 substituents independently selected from H, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, CN and halogen;

R₇ is H, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, CN or halogen; or

~~R₇ is joined together with R₂ to form a 6-membered ring, optionally containing a further heteroatom selected from O and S, and which heteroatom is bonded to the 7-position of the indole ring;~~ or a pharmaceutically acceptable salt thereof.

2. (Currently Amended) The (indol-3-yl)-heterocycle derivative of claim 1, wherein R₂ is H ~~or is joined together with R₇ to form a 6-membered ring, optionally containing a heteroatom selected from O and S, and which atom is bonded to the 7-position of the indole ring.~~

3. (Currently Amended) The (indol-3-yl)-heterocycle derivative of claim 1, wherein R, R₅, R₅' and R₆ are H.

4. (Currently Amended) The (indol-3-yl)-heterocycle derivative of claim 1, wherein R₁ is cyclohexyl or tetrahydropyranyl.

5. (Currently Amended) The (indol-3-yl)-heterocycle derivative of claim 1 where the heterocycle A is 1,2,4-oxadiazole (X_1 is N, X_2 is O, X_3 is N), 1,2,4-thiadiazole (X_1 is N, X_2 is S, X_3 is N) or thiazole (X_1 is S, X_2 is CR, X_3 is N).

6. (Currently Amended) The (indol-3-yl)-heterocycle derivative of claim 1 which is selected from:

- 7-Chloro-3-(5-{[N-ethyl-N-(2-methoxyethyl)amino]methyl}-[1,2,4]-thiadiazol-3-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-{5-[(pyrrolidin-1-yl)methyl]-[1,2,4]-thiadiazol-3-yl}-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-(5-{[N-ethyl-N-(2-hydroxyethyl)amino]methyl}-[1,2,4]-thiadiazol-3-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-(4-{[N-(2-hydroxyethyl)-N-isopropylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-(4-{[N-ethyl-N-(2-hydroxyethyl)amino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-(4-{[N-(2-methoxyethyl)-N-methylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole; and
 - 7-Chloro-3-{5-[(2,2-dimethyl-pyrrolidin-1-yl)methyl]-[1,2,4]oxadiazol-3-yl}-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- or a pharmaceutically acceptable salt thereof.

7. (Cancelled)

8. (Currently Amended) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle derivative of claim 1 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

9. (Cancelled)
10. (Withdrawn) A method of treatment of pain comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 1.
11. (Withdrawn) The method of claim 10, wherein the pain is selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis.
12. (Currently Amended) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle derivative of claim 5 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.
13. (Currently Amended) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle derivative of claim 6 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.
14. (Withdrawn) A method of treatment of pain comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 5.
15. (Withdrawn) A method of treatment of pain comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 6.